



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

Agency: Washington State Department of Agriculture

- ☒ **Preproposal Statement of Inquiry was filed as WSR 10-01-103; or**
☐ **Expedited Rule Making--Proposed notice was filed as WSR _____; or**
☐ **Proposal is exempt under RCW 34.05.310(4).**

- ☐ **Original Notice**
☒ **Supplemental Notice to WSR 10-12-078**
☐ **Continuance of WSR _____**

Title of rule and other identifying information: (Describe Subject) Chapter 16-54, Animal Importation

Hearing location(s):

Natural Resources Building
 1111 Washington St. SE
 Second Floor, Conference Room 259
 Olympia, WA 98504

Date: September 16, 2010

Time: 1:00pm

Date of intended adoption: September 30, 2010
 (Note: This is **NOT** the **effective** date)

Submit written comments to:

Name: Teresa Norman
 Address: PO Box 42560
 Olympia, Washington 98504-2560
 e-mail: WSDARulesComments@agr.wa.gov
 Fax: (360) 902-2092 by 5:00pm September 16, 2010

Assistance for persons with disabilities: Contact

WSDA Receptionist by September 7, 2010

TTY (800) 833-6388 or 711

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The department held hearings in Olympia and Ellensburg on April 29 and May 10, 2010 to accept testimony on proposed amendments to WAC 16-54, Animal importation. Based on testimony received the department has decided to make additional changes to certain sections of the proposed language and conduct additional hearings on the following sections: 16-54-010 Definitions, 16-54-068 Restrictions, 16-54-082 Domestic bovine animals—importation requirements, 16-54-085 Domestic bovine tuberculosis requirements and 16-54-086 Bovine trichomoniasis requirements.

The department is proposing to add a feral swine definition, a restricting holding facility definition and amend the virgin bull definition. This rule proposal adds Contagious Equine Metritis (CEM) to the import restrictions. CEM is a foreign animal disease that was introduced in the U.S. in 2009 and has the potential to be detrimental to our equine industry. This rule proposal also clarifies bovine tuberculosis entry requirements and exemptions, and amends the trichomoniasis section in that accredited veterinarians may not perform official trichomoniasis testing of bulls in Washington state until they have successfully completed a training provided by the department and pass a proficiency examination.

Statutory authority for adoption: RCW 16.36.040 and chapter 34.05 RCW

Statute being implemented: Chapter 16.36 RCW

Is rule necessary because of a:

- Federal Law? ☐ Yes ☒ No
 Federal Court Decision? ☐ Yes ☒ No
 State Court Decision? ☐ Yes ☒ No
 If yes, CITATION:

DATE

June 23, 2010

NAME (type or print)

Leonard E. Eldridge

SIGNATURE

Leonard E. Eldridge

TITLE

State Veterinarian

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: June 23, 2010

TIME: 8:33 AM

WSR 10-13-156

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:
None.

Name of proponent: (person or organization) Washington State Department of Agriculture

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Paul Kohrs, DVM	Olympia	(360) 902-1835
Implementation....Paul Kohrs, DVM	Olympia	(360) 902-1835
Enforcement..... Leonard E Eldridge, DVM	Olympia	(360) 902-1881

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No. Explain why no statement was prepared.

RCW 19.85.030(1) requires that WSDA prepare an SBEIS if proposed rules will impose more than minor costs on affected businesses or industry. The department has analyzed the economic effects of the proposed revisions and has concluded that they do not impose more than minor costs on small businesses in the regulated industry, and, therefore, a formal SBEIS is not required.

Is a cost-benefit analysis required under RCW 34.05.328?

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No: Please explain: The Washington State Department of Agriculture is not a listed agency under RCW 34.05.328(5)(a)(i).